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ABSTRACT

There are many States without extended school year (ESY) enabling legislation or programs in operation. A few States have passed enabling ESY legislation and have no programs in operation. Others have ESY programs in operation without any specialized legislation. Several States have specialized ESY legislation and ESY programs in operation. This paper explores the kind of ESY legislation that is already in effect to encourage the development of extended school year programs. (Author/JF)

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LEGISLATIVE ACTIVITIES AFFECTING YEAR-ROUND EDUCATION IN THE UNITED STATES

A SIMULATION NOTEBOOK

PRESENTED AT

6TH NATIONAL SEMINAR ON YEAR-ROUND EDUCATION

CHICAGO, ILLINOIS

APRIL 30 - May 3, 1974

by

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INTRODUCTION

The annual school calendar as it exists throughout most of the United States today developed in response to the needs and desires of people. The practice of a long school vacation in the summer had its origin in the early agrarian life of the country. School was conducted during the months that manpower could be spared for teaching--and for learning.

Early agrarian life dictated that children be home to help on the farm during the summer months, but life in the cities placed no such restrictions on school schedules. In the middle of the nineteenth century some large cities conducted school throughout the year. It is known that Cincinnati, Buffalo, New York and Chicago during the nineteenth century had school terms ranging from 11 months to 49 weeks. Very short vacations were allowed at Christmas and at some period during the summer. Such lengthy terms, however, were the exception and not the rule. Most school systems scheduled a lengthy summer vacation.

The length of the school year gradually became more uniform throughout the country. In the year 1913, legislation was passed in New York which standardized the school year at 180 days throughout the state. The number 180 was simply a compromise between those who wanted year-round school and the farmers, who wanted school to be open only when the children were not needed on the farm.

By 1915 the nine-month school year (approximately 180 days) had become the norm in most parts of the nation. It has remained the norm

since that time. Although the length of the school year has remained uniform for more than a half-century, it has been the subject of much discussion and considerable debate. The feasibility of extending the school year or altering the attendance pattern in some way has received wide attention.

In recent years, rising school enrollments, growing school construction costs, and the constant search for excellence in education have renewed interest in rescheduling the school year. A variety of designs and plans exist.[1] Nearly all of them are variations of four basic types.

ESY Summer Plans differ from traditional summer programs in the selection and character of the course offerings. Make-up and recreational programs are included, as in the past, but emphasis is placed on enrichment, remedial and acceleration programs.

The Extended Semester Plan may change the usual 90-day semester by adding as many as 15 days, giving a school year of up to 210 instructional days. The additional time can be used for enrichment, remediation and acceleration.

A Trimester Plan may consist of three 60-day terms. The advantage lies in more flexible course offerings and in easier course rescheduling. Terms could be lengthened to 70 or 75 days, each yielding a school year of up to 225 instructional days. By lengthening class periods, the instructional

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[1] Michael Y. Nunnery, Status of the Extended School Year in 1972 (University of Florida. College of Education 1972) pp. 1-4.

hours in a trimester could equal those in a semester. A district could have one-third of its pupils on vacation at all times, thus realizing a space saving.

Quarter Plans may consist of from 45 to 60 instructional days. Among the many variations of quarter plans are plans which provide for one-fourth of the pupil population to be on vacation in each quarter, plans which stagger pupil attendance, and plans with voluntary attendance options including plans offering a fifth quarter of regular school given in the summer time.[2]

At this time there are many states that have no ESY enabling legislation or programs in operation. A few states have passed enabling ESY legislation and have no programs in operation. Others have ESY programs in operation without any specialized legislation. Several states have specialized ESY legislation and ESY programs in operation.

The purpose of this paper is to explore the kind of ESY legislation which is already in effect and to suggest additional legislation which might be put into effect to encourage the development of Extended School Year programs.

The information found in this report is largely a result of information reported by state education departments in conjunction with the first and second annual surveys of year round education activities. The results of this year's survey were not complete as of the end of December, 1973. A legislative update will be presented at the April convention.

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[2]Bruce Campbell, Extended School Year Programs (Office of Program Development, Division of Research, Planning and Evaluation, New Jersey Department of Education, 1972), pp. 4, 5.

The following chart summarizes the ESY legislative situation, nationwide, as of the date of this report.

EXTENDED SCHOOL YEAR LEGISLATIVE SUMMARY

STATES AND TERRITORIES WITH:

Legislation and Operational Programs	Operational Programs and No Legislation	Legislation and No Operational Programs	No Legislation and No Operational Programs	Feasibility Studies
Arizona	Georgia	Arkansas	Alabama	Arkansas
California	Minnesota	Connecticut	Alaska	Hawaii
Colorado	Missouri	Delaware	District of Columbia	Indiana
Florida	Nevada	Guam	Hawaii	Iowa
Illinois	New Hampshire	Maine	Idaho	Maine
Kentucky	Ohio	Maryland	Kansas	Maryland
Michigan	Utah	Massachusetts	Louisiana	New Mexico
Nebraska	Vermont	New Mexico	Mississippi	New York
New Jersey	Virginia	New York	Montana	Rhode Island
Oklahoma	Washington	Tennessee	North Carolina	Tennessee
Oregon		West Virginia	North Dakota	Virgin Islands
Pennsylvania		Wisconsin	Puerto Rico	Wisconsin
South Carolina			South Dakota	Wyoming
Texas				

ALABAMA

We are not aware of any legislation or ESY programs in existence in Alabama.

ALASKA

As far as we know, there are no ESY programs or legislation in the state of Alaska.

ARIZONA

An act, Chapter 115, House Bill 2019, was approved by the Governor of Arizona on May 8, 1972. This act is in reference to Extended School Year programs in the state of Arizona.

AN ACT RELATING TO EDUCATION: Authorizing the operation of certain schools on an extended year basis; authorizing financial aid to be paid on the basis of the equivalent of one hundred seventy-five days attendance; requiring certain school districts to employ separate budgets for schools on extended school operation; amending sections 15-301, 15-321, 15-442 and 15-1212, Arizona revised statutes; amending title 15, chapter 11, Arizona revised statutes, by adding article 2.2, and making an appropriation.

Sec. 7 Appropriation; purpose

The sum of one hundred ten thousand dollars is appropriated to the state department of education for the fiscal year beginning July 1, 1972, for the purpose of financing the cost of additional staff positions needed for the department to provide the supervision and assistance necessary to school districts which qualify and are authorized to participate in a program of twelve month school operation pursuant to section 3 of this act.

I. Legislative Intent

The Legislature intends by this act to authorize school districts to evaluate, plan and employ the use of extended school programs.

II. Requirements for Qualifications of School Districts

A. To qualify, a school must be a public common or high school of the State of Arizona.

B. Very small schools will not be approved.

C. A need for an Extended School Year program must be demonstrated showing a more economical utilization of facilities and personnel, or curriculum improvement.

D. There must be evidence of program planning involving students, faculty, parents and community.

E. Objectives must be clearly defined.

F. Implementation procedure must carry out a full cycle of operation for all students.

III. Evaluation Criteria

A. There are to be phase-in checkpoints for progress evaluation (formulative evaluation) for each step of implementation.

Several feasibility studies have been completed, and a number of ESY programs are in operation.

ARKANSAS

Arkansas has the first draft of a bill dated November 27, 1972.

A BILL FOR AN ACT TO BE ENTITLED:

AN ACT authorizing school districts in this state to operate on a quarterly rather than a semester basis; authorizing districts to

operate all or some of their schools for all four quarters with state funding for three quarters of attendance for any one student; authorizing the state board of education to establish appropriate rules and regulations for the operation of elementary and secondary schools on a quarterly basis, and to assure that no school district be penalized in the loss of minimum foundation program aid, transportation aid, or other forms of state aid to local school districts in the operation of schools on a quarterly rather than a semester basis; and for other purposes.

I. Legislative Intent

The Legislature intends by this act to authorize school districts to operate on a quarterly rather than a semester basis. This change would be optional.

II. Requirements for Qualification of School Districts

A. Districts may, upon the approval of a majority of the qualified voters at an annual school board election, elect to operate one or more of the schools of said school district on a quarterly rather than a semester basis.

B. The revised curriculum shall be so structured that the material covered during the present school year of two semesters is covered in three three-month quarters.

C. Any school district may return to the semester system upon a majority vote of the members of the school board on or before July 1 preceding the term at which the school district is to return to the semester system.

D. The State Board will make adjustments in formulas and programs to assure school districts equivalent state assistance either under the quarter system or the semester system.

The investigator could not determine whether or not the above

legislation was passed.

A few schools in Arkansas are studying the possibility of ESY programs but at this point no programs are in operation.

CALIFORNIA

I. Legislation Passed, 1971

SB-673 - Authorizes public school districts, with the approval of the Superintendent of Public Instruction, to establish and operate in one or more schools of the district, the 45-15 plan. District to receive the same financial support, but not more financial support than it would have received if the school had been operating under the provisions of law relating to the regular school year, including summer school. (Ed. C. Sections 32100-32133)

AB 1002 - Identical to SB 673 except the provisions of this chapter (Chapter 7. Continuous School Programs) did not become operative until July 1, 1973. Also, the required approval of the State Superintendent of Public Instruction is removed.

AB 331 - Provides for the establishment during the 1972-73 school year of five-year experimental programs in two or more school districts selected by the Superintendent of Public Instruction. Focuses upon the "academic quarter" plan. No funding beyond that which would have been received during the regular school year, including summer school based on average daily attendance.

AB 1924 - Provides a financial incentive for State aided districts to consider implementation of the year round utilization of facilities.

II. Requirements of School Districts for the Feasibility Study Report under SB-673 or AB-331

A. Needs and Status Information

1. Background data and information concerning the school district: size, growth, facilities, unique circumstances and any history of prior studies undertaken by the school district.
2. Clear-cut statements of goals and objectives.
3. Summary of existing district instructional program, specific programs in schools under consideration.
4. Awareness of specific problems involved in the design and implementation of the year round schooling plan selected by the district.
5. Tentative conclusions concerning selection and implementation of a year round school program.

B. Implementation Plan

1. Evidence of thoroughness in planning; evidence of broad community, staff and board involvement.
2. Development or modification of a plan including staffing, scheduling, use of facilities, etc.
3. Development of teaching strategies, curriculum materials, professional growth opportunities.

4. Specific school organization--establishment of attendance areas (as in the 45-15 plan), establishment of specific family/student assignments, alternatives for families not desiring year round schooling.

5. Consideration of a simulation model to work out "bugs" before actual implementation.

6. Resolution to the totality of problems encountered: Legal aspect of the law--state testing, EMR teacher/student ratios, ethnic surveys, youth employment, community recreation programs, student transfers, district maintenance program, relationship to summer sessions, student transportation, professional growth, vacation patterns, increased secretarial assistance, use of school facilities, juvenile delinquency, balanced enrollments, instructional articulation, PL 874, cafeteria operations, teacher retirement monies, single salary schedule, etc.

III. Evaluation Design

A. Plans should be drawn for:

1. Instructional program

2. Finances

3. Facilities

B. Subdivision of each of the items should be based on:

1. An immediate or short term basis (1-2 years)

2. A long term basis.

More than one hundred schools in thirty-four districts in California are estimated to be operating ESY programs during the 1973-1974 school year. Some of these schools have been in operation for four years.

COLORADO

A bill was passed by the State Legislature in 1972 which dealt with some of the legal issues of the Extended School Year. A small number of school districts are involved in ESY activities, from feasibility studies to operational programs.

CONNECTICUT

The Connecticut Legislature has enacted legislation which allows school districts to operate on a year round basis without gain or loss of state aid. Although the legislation encourages ESY programs, no school system was operating a year round school program at the time of this report.

DELAWARE

In 1972 legislation was passed which added a new chapter to Title 14 SB 852, CH 572, Delaware Code, entitled "Utilization of Educational Facilities." It allows the implementation of year round school projects after state board and local referendum approval.

No school at this point has reported the implementation of a year round program in the state of Delaware.

DISTRICT OF COLUMBIA

We are not aware of the existence of any ESY legislation or programs in the District of Columbia.

FLORIDA

The 1972 Florida Legislature enacted a bill, CSHB 2983, CH 72-284,

providing for the Florida Department of Education in cooperation with a local school district and a university to plan for and develop a pilot program for an extended school year. The Duval County School District and the University of Florida accepted the project. The plan converted a 180 day, 13 year school program to a 200 day, 12 year program. The annual calendar included four 50 day units of instruction utilizing a performance based curriculum. The "quinmester" was used for rescheduling the school year. Another advantage would be the easy transition for the pupil into junior college or a university. A pilot program using this extended school year should be in practice by 1973-74 in selected districts, and should be phased in for the entire school system by 1977-78.

The State Department has compiled four reports regarding the project: (1) Interim Progress Report; (2) Evaluation; (3) Status; and (4) Consequences of Implementation.

A number of ESY programs have been operational in the state of Florida since 1964.

GEORGIA

There are several operational ESY programs in the state of Georgia. The most well known of these is in the Atlanta public schools. We have not been informed as to the existence of any specialized ESY legislation in the state of Georgia.

GUAM

The twelfth Guam Legislature of 1973 passed Bill #79, which was:

> AN ACT making an appropriation [of 13,243 Dollars] for the purpose of authorizing and directing the Director of the Department of

Education to conduct a survey of parents, teachers, students, and other interested groups to determine if there are substantial educational benefits for the children of Guam to be derived from a year round public school system on Guam.

The release date for the findings of the survey is December 31, 1973.

There are no ESY programs in operation on Guam at this time.

HAWAII

The Office of Research and Planning of the State Department of Education is conducting an ESY feasibility study. Some legislation relative to an integrated ESY summer school program was defeated in 1971. A previous feasibility study evaluated in 1971 reached the decision to discontinue the project.

There are no operational ESY programs in Hawaii at this time.

IDAHO

We are unaware of the existence of any ESY legislation or programs in the state of Idaho.

ILLINOIS

AN ACT to add sections 10-19.2 and 34-21.3 to "The School Code" approved March 18, 1961 as amended. Signed by the Governor August 2, 1972.

I. Additions to the School Code

A. Any school district may by resolution of its board file an application with the office of the Superintendent of Public Instruction and, if approved, receive funds for the purpose of conducting a study of the feasibility of operating one or more schools within the district on a full year school plan.

B. The board shall submit a final report to the State Superintendent of Public Instruction within one year after receipt of funds or upon completion of the study, whichever occurs first.

C. If, based upon the results of a full year feasibility study, the board decides to operate one or more schools in the district, the Superintendent of Public Instruction may, depending upon certain guidelines, reimburse the board for expenditures resulting from making such a transition, provided that no expenditures will be reimbursed which would have been incurred by the board in the absence of a changeover to a full year program.

This law allows districts to operate on a full year school calendar.

Another law, HB 4264, PA 77-2172 (1972), provided an incentive for the implementation of ESY programs. This law provides an additional five percent in state aid for the first year of operation of school districts on a 12 month basis. Such districts shall receive one-fourth of the estimated state aid by July 15, annually. It provides 2,500 to districts which submit an approved plan for a pilot study for a 12 month school year to the Superintendent of Public Instruction. Nineteen districts were awarded grants to conduct feasibility studies in 1973.

Another piece of legislation, HB 4328 (1972), provides that where school districts are reimbursed by the state for special education and approved programs for gifted children, and where the school districts elect to operate a full year program, such reimbursement shall be increased by 1/185th of the amount paid for each day school is operated in excess of

185 days per calendar year.

During the 1972-1973 school year, two districts operated full year schools. The city of Chicago School District 299 had five attendance centers, while Valley View, Illinois, placed all of its schools on the 45-15 ESY program.

INDIANA

Three feasibility studies have been planned in the state of Indiana. We are unaware of the existence of any specialized ESY legislation.

IOWA

Legislation was introduced and defeated which would have appropriated from the general fund of the state to the Department of Public Instruction funds for a study of the feasibility of implementing a 12 month school year. Four districts over the past four years have conducted their own feasibility studies. None of the studies recommended the implementation of ESY programs. No ESY activities of any kind are active in Iowa at this time.

KANSAS

Two pieces of legislation have been introduced and defeated in the Kansas Legislature regarding ESY programs. One would have made it possible for school districts to elect to operate all or some of their schools for all four quarters of the school year. The other would have provided for the creation and funding of a pilot program of year round schools to be implemented for the school year, 1973-1974 in not more than three school districts with differing enrollment characteristics.

There is no ESY activity in Kansas at this time as far as we can determine.

KENTUCKY

Recent Kentucky revised Statutes HB 604, SB 288, KRS 158 permit the operation of year round school programs by any local board of education upon recommendation by the Superintendent of Public Instruction and permit such boards to participate equitably in foundation program funds.

One Kentucky school district is operating a full district ESY program. Financing is a problem, and some students have to pay tuition if they attend all four quarters.

The Kentucky General Assembly plans to meet early in 1974 to consider additional legislation relative to year round education.

LOUISIANA

We have been unable to obtain any information relative to ESY programs or legislation in the state of Louisiana.

MAINE

Maine has enacted Legislation CH 554, which makes it possible for local boards with the approval of the commissioner to adopt whatever rules and regulations are necessary to implement an Extended School Year at the local level. The commissioner is authorized to make appropriate adjustments, not to exceed the allowable subsidy, to insure fair and equitable treatment in the distribution of state aid.

Two school systems have conducted local feasibility studies, but no ESY programs are operational in Maine at this time.

MARYLAND

Two items of legislation have been introduced and defeated which would have assisted the ESY movement in the state of Maryland. Several

unsuccessful attempt have been made to initiate four-quarter systems in the state. One feasibility study is being conducted, but no ESY programs are operational at this time.

MASSACHUSETTS

Two statutes, CH 66 and CH 100, have been approved relating to ESY programs. The first one placed with the school committee the acceptance of the law authorizing the establishment of a 12 month school year for the public schools of the commonwealth.

The second one makes technical changes in the general laws to facilitate implementation of the 12 month school year. The provision in the statutes that graduating high school pupils remain in school until May 15 has been stricken. The annual report on all children attending school as of October 1 will include all children involved in a 12 month program. This statute makes changes in the attendance requirements of Chapter 76, Section 1 of the General Laws to adjust the section to the 12 month school year statute.

There are no ESY programs operational in Massachusetts at this time as far as we know.

MICHIGAN

Senate Bill No. 1140

AN ACT to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending June 30, 1973, to provide for the expenditure of such appropriations; and to provide for the disposition of fees and other income received by various state agencies.

The People of the State of Michigan enact:

Sec. 1. There is appropriated for the department of education and certain state purposes related to education herein set forth, from the general fund of the state, for the fiscal year ending June 30, 1973, the sum of $36,936,450.00.

Sec. 19 line 3 to line 6:

Apportionments of state school aid for school districts maintaining school for the entire 12 month year shall be made by the Department of Education on or before May 15 or each fiscal year as required by law.

Sec. 27

Beginning in 1973-1974 there shall be appropriated not to exceed 150,000.00 to be used by districts conducting Extended School Year programs approved by the department. The State Board shall promulgate rules to implement this section.

Three ESY programs were operational in Michigan, at the time of this report.

MINNESOTA

There has been no recent special ESY legislation in Minnesota. Only one school district has an operational ESY program. One reason for the small number of ESY programs in Minnesota is the existence of the state subsidized six week summer school program since 1962.

MISSISSIPPI

We are not aware of any ESY programs or legislation in existence in Mississippi at this time.

MISSOURI

Two statutes have been introduced and defeated which would have aided the implementation of ESY programs in Missouri.

There is one operational ESY program in the state. It is a 45-15 plan which was implemented in the Francis Howell School District in 1969.

MONTANA

There is some evidence of ESY activity in Montana, but the

investigator was unable to get any specific information.

NEBRASKA

The Legislature has enacted Legislative Bill 65, effective in 1974-1975, which will allow the state department of education to work with schools toward the implementation of year round schools in individual school districts.

One school district in Nebraska is involved in an ESY feasibility study which began in July, 1973.

NEVADA

There is one operational four-quarter ESY program in Nevada, which began in 1972. No specialized ESY legislation was indicated.

NEW HAMPSHIRE

There is one operational four-quarter ESY program in New Hampshire, which began in 1972. A feasibility study is also being conducted in the state. No specialized ESY legislation has been indicated.

NEW JERSEY

By rule of the State Board of Education dated June 28, 1972, a new system of credit assignment and graduation requirements became effective for the class of 1976, i. e., the entering ninth grade and all subsequent classes. All courses meeting for the same length of time shall be of equal weight; the designations "major" and "minor" no longer applicable. One credit shall equal 1440 minutes per academic year. The former forty-minute class period minimum is abolished, making possible more flexible scheduling.

Programs may also be planned for individuals based upon specified, measurable instructional objectives for a particular course. The school shall

certify completion of a course for the pupil based upon the original specified objectives. The school shall not be obligated to assign credit(s) under this plan. If credits are not assigned, the school shall determine and establish a set number of courses for promotion and graduation purposes.

Legislation (AJR 3) which attempted to establish a study commission on the 12 month school year failed to pass both Houses of the Legislature.

Legislation (ACR 76) 1972-1973 requests the education committees of the Senate and Assembly to study the feasibility of operating public, elementary and secondary schools on a year round basis (pending).

Legislation (AJR 12) 1972-1973 is an effort to create a seven-member bipartisan commission (two Senators, two Assemblymen, two citizens appointed by the Governor, and the Commissioner of Education) to study the feasibility of establishing public school education on a 12 month basis (pending).

New Jersey has recently hired a full-time administrator to coordinate the development of ESY in the state. His name is Bruce Campbell.

Last year there were nine ESY preliminary programs in New Jersey. Eight of these programs were state subsidized feasibility studies. The ninth was a pre-implementation planning study, financed by Title III. This year three additional districts will conduct state subsidized pre-implementation planning programs.

NEW MEXICO

New Mexico Statute SB 15, CH 16, February 17, 1972:

AN ACT

RELATING TO EDUCATION; AND PROVIDING FOR AN ALTERNATIVE SCHOOL CALENDAR FOR PUBLIC SCHOOL PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE. --This act may be cited as the "Variable School Calendar Act."

Section 2. DEFINITION. --As used in the Variable School Calendar Act, "variable school calendar" means a calendar for school or school district operations extending over a ten, eleven or twelve month period or portions thereof in excess of nine months, which permits pupil attendance on a staggered schedule.

Section 3. PURPOSE OF ACT. --The purpose of the Variable School Calendar Act is to create an opportunity for public schools or school districts to operate beyond a nine-month period in any one calendar year in order to achieve optimum and maximum use of school facilities and personnel.

Section 4. VARIABLE SCHOOL CALENDAR--REQUEST. --The local school board of any school district may adopt by resolution a request to the state department of education for approval to operate under a variable school calendar. The state department of education will develop criteria for the establishment of a variable school calendar in a school district.

Section 5. VARIABLE SCHOOL CALENDAR--ACTION BY DEPARTMENT AND BOARD. --

A. The department shall make rules and regulations pursuant to the Variable School Calendar Act necessary to establish procedures for making application, requiring reports and maintaining supervision of operations of a district under a variable school calendar. In addition, the state department of education may make such rules and regulations necessary to implement the provisions of the Variable School Calendar Act.

B. The state board of education may suspend or modify existing rules and regulations pertaining to school district operations upon recommendation of the state superintendent, when such rules and regulations prevent or impede the implementation of the Variable School Calendar Act.

Section 6. VARIABLE SCHOOL CALENDAR--EFFECT OF APPROVAL OF REQUEST. --Upon approval of the state department

> of education of the request of a local school board for operation under a variable school calendar, such calendar for that school or school district shall be in lieu of any other school calendar provided by law and all requirements for reporting or operating under existing school or school districts upon the initiation of operations under a variable school calendar and the rules and regulations made pursuant thereto. Such school or school district shall continue to operate under the approved variable school calendar until such time the local school board requests the state department of education by resolution for approval of the discontinuance of the variable school calendar and such request is approved by the department.

There is one feasibility study being conducted in Roswell Independent School District. This study began in 1972.

NEW YORK

Legislation introduced in New York is permissive. It will authorize local school districts to reschedule the school year in terms of new time lines that provide continued education over a 12 month period. The most important aspect is the provision which calls for the recognition of instructional time provided in July and August as meeting the 180 day requirement for state aid. Without this provision, no public school would take steps leading to implementation of recommended four, five, or seven stream continuous learning year plans. It merely places the payment of state aid on a fiscal basis instead of on a ten-month school year calendar. School boards would be able to mandate student attendance during the summer as well as during the traditional September to June period; however, a 200 day limitation has been set regarding such instruction. Contact: Dr. Gordon M. Ambach, State Department of Education.

Fashion Institute of Technology in New York is conducting an ESY feasibility study which began in 1972.

NORTH CAROLINA

We are not aware of any ESY legislation or programs in the state of North Carolina.

NORTH DAKOTA

We are not aware of any ESY legislation or programs in the state of North Dakota.

OHIO

There is a Title III funded curriculum development ESY project in operation in Ohio. No specific ESY legislation was indicated.

OKLAHOMA

Oklahoma Statute HCR 1070 requests the state department of education in conjunction with the Oklahoma commission on education and the State Legislature Council to conduct a pilot 12 month school year program for one year (1972).

The Healdton Public School System is conducting a pre-implementation planning program which began in September, 1972.

OREGON

A law has been passed which assures school districts operating year round programs their fair share of state aid. Several school districts are in various phases of ESY implementation. Approximately three districts have operational programs.

PENNSYLVANIA

ACT 80:

The Governor on July 30, 1969, signed into law Act 80, which amends

Section 1504 of the Public School Code of 1949, as amended. Act 80 further defines and adds flexibility to the length of the school day and school term.

Upon request of a board of school directors for an exception to the aforesaid daily schedule, the Superintendent of Public Instruction may, when in his opinion a meritorious educational program warrants, approve a school week containing a minimum of twenty-seven and one-half hours of instruction as the equivalent of five (5) school days, or a school year containing a minimum of nine hundred ninety hours of instruction as the equivalent of one hundred eighty (180) school days.

I. Legislative Intent

The intent of this act is to provide a board of school directors greater flexibility in the development of its school calendar, and to provide opportunities for more creative and flexible programs for children and adults within the school districts.

II. Provisions

A. The vital consideration is that the 900 actual hours of instruction time for elementary and 990 hours of instruction time for secondary schools be preserved.

B. All school programs which would require fewer than 5-1/2 hours of instructional time in secondary and 5 hours of instructional time in elementary schools per day shall be submitted to the Secretary of Education for approval.

C. Any school program containing a school week of fewer than 27-1/2 hours of instruction time in secondary and 25 hours of instruction

time in elementary shall be submitted to the Secretary of Education for approval.

D. A school board may extend its instructional school year beyond the minimum of 180 days without approval.

E. This act does not permit a reduction in the legal requirement for at least 180 days of instruction for pupils.

By a special appropriation from the governor's 1972-73 budget to the department of education, local school districts may receive financial assistance for preapproved year round school programs by the secretary of education. Local school districts may also receive financial assistance from this appropriation to develop curriculum, do research and plan educational programs around the year round school concept. Nursery through grade 12. State support. Contact: Benjamin D. Hengst, Specialist, Administrative Leadership Services, State Department of Education.

The Department of Education has been quite active in promoting YRS. It has: (1) published a reference text; (2) provided $500,000 to assist schools in completing studies; (3) assisted in many local in-service programs; and (4) designated a college as a resource center.

As of 1973, there were 12 ESY programs in various phases of activity. Two programs were in operation; two programs were in pre-implementation planning; and eight school districts were conducting feasibility studies.

PUERTO RICO

We are unaware of any programs or legislation relative to ESY on the Island of Puerto Rico.

RHODE ISLAND

The Department of Education sponsored feasibility Studies of the 45-15 year round school model in two large school districts, and assisted the Title III ESEA office sponsorship of a similar study in the Cranston School District.

The Rhode Island Department of Education has not taken a position regarding promotion of year round and/or extended school years other than assisting those school districts in studying the matter. At this time no money has been budgeted for state financial assistance (73-74 fiscal year) to assist or encourage local district feasibility studies.

SOUTH CAROLINA

The state provided some of the funds necessary for feasibility studies in four school districts in 1971. No other legislative action was indicated.

Three of the above districts selected the quinmester, and the fourth selected the quarter system.

SOUTH DAKOTA

One statute (SB 196) was proposed but failed to pass that would have increased the number of days which are to be considered a regular school term.

We are unaware of any operational ESY programs in South Dakota.

TENNESSEE

The Legislature in 1972 passed as part of its general education bill a piece of legislation which makes it possible for a local school system to operate schools on a year round basis.

Knoxville, Tennessee, plans to conduct an ESY feasibility study to begin in July, 1974.

TEXAS

General Statutory Directives:

The general directives of Chapter 16, subchapter G-1, of the Texas Education Code (House Bill 1078, enacted by the Sixty-second Legislature, 1971) are as follows:

The Texas Education Agency is directed to prepare and distribute restructured curriculum to districts so that the material which is now covered in two semesters will be covered in three, three-month (60-day) quarters.

Beginning with the 1972-73 school year, districts may operate on the basis of a quarter system. Beginning with the 1973-74 school year, all districts in the State must operate on the basis of a quarter system; however, districts are not required to operate a fourth quarter.

School districts must operate at least three quarters, providing 180 days of instruction and 10 days of inservice education for teachers.

Each district may operate all or some of its schools for all four quarters and shall decide which students attend each quarter. Schedules must be arranged so that members of the same family, attending school in the same district, will be able to attend the same three quarters.

A district may require neither a teacher to teach all four quarters nor a student to attend more than three quarters.

Pupils may be counted for attendance under the Foundation School Program for three quarters. Attendance in the fourth quarter is optional

and must be financed by either local funds or tuition.

The State Board of Education, in response to a strong statewide reaction both pro and con to the above program, had announced its intention to ask the 1973 Legislature to postpone mandatory enactment until 1975.

The 1973 Legislature has postponed the mandatory date for the quarter system operation to school year 1975-1976.

Approximately 300 school districts have implemented the quarter system for school year 1973-1974.

UTAH

No specialized ESY legislation was indicated. Several school districts have operated an ESY summer program for about ten years.

The Nebo School District is open year round, and each child is required to attend 180 days each year.

VERMONT

No specialized ESY legislation was indicated in Vermont. The Champlain Valley Union High School has had an operational ESY program since September, 1972.

VIRGINIA

No specialized ESY legislation was indicated in Virginia. There are at least eight ESY programs in operation in Virginia at this time.

VIRGIN ISLANDS

No specialized ESY legislation was indicated in the Virgin Islands. An ESY feasibility study has been proposed for some time in 1974.

WASHINGTON

No specialized ESY legislation has been indicated for the state of

Washington. The Franklin Pierce School District has an operational ESY program which began in 1971.

WEST VIRGINIA

The 1972 West Virginia Legislature passed a school law which provided that the public school term shall begin no earlier than the first Tuesday after Labor Day and end no later than June 8.

There are no ESY programs of any kind in existence in the state of West Virginia.

WISCONSIN

A budget bill (CH 125) was enacted in 1972 which allows the school district to count as part of the average daily attendance the students enrolled in December so as to accommodate children who might be in a staggered school year pattern.

There have been seven feasibility studies in Wisconsin since 1971. No programs are operational as far as we could determine.

WYOMING

No specialized ESY legislation was indicated in Wyoming. The Cheyenne public schools plan to conduct an ESY feasibility study to begin in the fall of 1974.

SUGGESTED LEGISLATION TO ENCOURAGE ESY PROGRAM IMPLEMENTATION

It is understood that having an idea about a different educational procedure is a long way from providing the kind of legislation that will enable the implementation of that idea. As you have seen, the educators in many states have joined with the political forces in those states to provide the needed ESY legislation.

The suggested legislation to encourage ESY program implementation might fall into four general categories. The first category might be called "Authorization Legislation." This legislation gives permission for ESY programs to exist within a state. The second category is relative to feasibility studies. Each local situation is unique, and those programs which fit one community may not be feasible in another community. The third category is called "Implementation Legislation"--what are the special characteristics of ESY that must be provided? The fourth category is legislation relative to a pilot study. The question is whether or not an ESY program can operate within its chosen community. The last category is legislation relative to the encouragement of additional ESY programs--what kind of legislation is needed to entice school districts into attempting implementation?

Authorization Legislation which might be attempted in your state:

Legislation - permitting the school year to run for twelve months; authorizing the local school board to set the dates of school at any time

between July 1 and June 30.

Feasibility Study Legislation which might be attempted in your state:

Legislation - allowing ESY feasibility studies to take place within the state.

Legislation - subsidizing the funding of the feasibility studies.

Implementation Legislation which might be attempted in your state:

Legislation - permitting year-round employment of teachers.

Legislation - permitting modification of the entrance age requirements and grading and promotion practices to allow students to enter and graduate more frequently throughout the year.

Legislation - providing state funding for any 180 days, whenever they occur throughout the year.

Legislation - providing additional funding for additional school days attended throughout the school year.

Legislation - providing financial aid formulas sufficiently flexible to facilitate development of instructional programs that fit variations in local needs.

Legislation - defining instructional time units as the equivalent of 180 days. This could make it theoretically possible for a student to obtain credit for school hours spent in instruction morning, noon, or night, weekdays or weekends.

Legislation - providing curriculum credit for job time.

Legislation - facilitating the individualization of instruction by modification of the requirements for graduation.

Pilot Study Legislation which might be attempted in your state:

Legislation - enabling various kinds of pilot studies. These could be local pilot studies, university pilot studies, state education department pilot studies, or a combination of cooperating agency pilot studies.

Legislation Providing Encouragement for ESY legislation which might be attempted in your state:

Legislation - providing transitional funding for the changeover from traditional to ESY programs.

Legislation - providing additional financial aid for operation of ESY programs in school districts.

Legislation - providing financial incentives for school districts considering the implementation of the year-round utilization of facilities.

Federal Legislation - providing federal financial assistance for ESY programs.

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